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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,873	02/15/2001	Suman Kumar Inala	P3943	4556

24739 7590 06/14/2004

CENTRAL COAST PATENT AGENCY
PO BOX 187
AROMAS, CA 95004

EXAMINER

ZHONG, CHAD

ART UNIT PAPER NUMBER

2154

DATE MAILED: 06/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/784,873

Applicant(s)

INALA ET AL.

Examiner

Chad Zhong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-38 are presented for examination.
2. It is noted that although the present application does contain line numbers in specification and claims, the line numbers in the claims do not correspond to the preferred format. The preferred format is to number each line of every claim, with each claim beginning with line 1. For ease of reference by both the Examiner and Applicant all future correspondence should include the recommended line numbering.
3. The specification is objected to because of the following: current US patent policy does not permit the use of hyperlinks in the specification. Such links are directed to an Internet site, the contents of which are subject to change without notice. Therefore, the potential for inclusion of new matter would be a constant problem. See page 6, for example. Correction is required.
5. The use of the trademark Indiana Pacers among others have been noted in this application (pg 6, line 27). It should be capitalized wherever it appears and be accompanied by the generic terminology. Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 (c) of this title before the invention thereof by the applicant for patent.

7. Claims 1-6, 17-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Tackett et al. (hereinafter Tackett), US 6,63,301.

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8. As per claim 1, Tackett teaches a software application for emulating a user in an interactive chat session hosted on a data-packet-network comprising:

a navigation interface for accepting input from a navigation system (Col. 6, lines 10-19);

a dialog interface for inputting dialog into the chat session (Table 1; Col. 6, lines 10-19);

a session recorder for recording a chat session (Col. 5, lines 10-25);

a timer for regulating intervals of input of dialog entered into the chat session (Table 4); and

a function disabler for disabling undesired communication events sourced from the chat session (Col. 28, lines 1-10), characterized in that a user pre-configures a list of queries for input into an impending chat session, sends the queries along with session-associated parameters in the form of a request for navigation to and proxy interaction in a session on behalf of the user (Col. 6, lines 10-20; Table 1).

9. As per claim 2, Tackett teaches the software application of claim 1, wherein the data-packet-network is the Internet network (Col. 4, lines 23-24).

10. As per claim 3, Tackett teaches the software application of claim 2, wherein the navigation system automatically navigates to the chat session and logs into the session on behalf of the user (Col. 6, lines 10-20).

11. As per claim 4, Tackett teaches the software application of claim 3, wherein the navigation system relinquishes session control to the software application after logging into the session (Col. 6, lines 10-20; Table 1).

12. As per claim 5, Tackett teaches the software application of claim 2, wherein the navigation system relinquishes session control to the software application and wherein the software application logs the user into the session (Col. 6, lines 10-20; Table 1).

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13. As per claim 6, Tackett teaches the software application of claim 4, wherein instruction enabling proxy emulation of the user in the chat session is of the form of a machine-readable language (Col. 6, lines 29-45; Table 3).

14. As per claim 17, Tackett teaches a software interface for configuring and ordering a proxy chat-emulation sequence at a target chat session hosted on a data-packet-network-comprising:

a first data-input section for enabling a user to input required parameters associated with the logistics of the session (Col. 6, lines 1-20);

a second data-input section for enabling a user to input in a plurality of queries to be executed during chat emulation (Col. 6, lines 1-20; Table 1);

a third data-input section for enabling a user to set time intervals for posting the queries into the session (Table 4); and

a submission function for submitting the order to a service provider operating on the network for order execution (Table 1).

15. As per claim 18, Claim 18 is rejected for the same reasons as rejection to claim 2 above.

16. As per claim 19, Tackett teaches the software interface of claim 18, wherein the logistics of the session include all or a combination of a user name, a password, a session address, a session date, a session start-time, a session duration, and a session topic (Table 1; Col. 6, lines 10-20; Col. 5, lines 10-45).

17. As per claim 20, Tackett teaches the software interface of claim 19, wherein the interface is generated from a server operating on the network (Col. 5, line 25 – Col. 6, line 5).

18. As per claim 21, Tackett teaches the software interface of claim 19, wherein the interface is a client application running on a client machine (Col. 6, lines 10-20).

19. As per claim 22, Tackett teaches the software interface of claim 21, wherein the client machine is an Internet-capable appliance (Figures 1-3).

20. As per claim 23, Tackett teaches the software interface of claim 22, wherein the Internet-capable appliance is a desktop computer (Fig 1; Col. 6, lines 10-20).

21. As per claim 24, Tackett teaches a network-based system for providing proxy navigation to and proxy representation of a user in an interactive chat session hosted on the network comprising:

a navigation system for spawning a personalized navigator for network navigation on behalf of the user (Fig 3, 8; Col. 5lines 25-45);

a chat emulation engine for spawning a personalized chat module for emulating the user in the chat session (Table 1); and

a session-configuration tool for enabling the user to configure the logistics of a target chat session, and to configure a list of queries into a request order for receiving a proxy navigation and user-emulation (Fig 3, 8; Table 1, 2; Col. 16, lines 13-20).

22. As per claim 25, Claim 25 is rejected for the same reasons as rejection to claim 2 above.

23. As per claim 26, Claim 26 is rejected for the same reasons as rejection to claim 19 above.

24. As per claim 27, Claim 27 is rejected for the same reasons as rejection to claim 3 above.

25. As per claim 28, Claim 28 is rejected for the same reasons as rejection to claim 4 above.

26. As per claim 29, Tackett teaches the network-based system of claim 28, wherein the personalized chat module conducts the user-portion of the session and records the entire session on behalf of the user (Col. 21, lines 9-15; Col. 5, lines 10-25).

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27. As per claim 30, Tackett teaches the network-based system of claim 29, wherein the chat emulation engine is hosted on a network-connected server (Col. 6, lines 1-20).

28. As per claim 31, Tackett teaches the network-based system of claim 30, wherein the personalized chat module terminates the connection to the chat session at the closing time of the chat session (Table 1; Table 3; Table 4; Col. 25, lines 55-65).

29. As per claim 32, Tackett teaches a method for automatically navigating to and representing a user in an interactive chat session hosted on a data-packet-network comprising steps of:

(a) receiving a request order from a requesting user, the request order containing logistics pertaining to a target chat session and a list of queries for posting into the chat session (Col. 6, lines 1-20);

(b) incorporating data from the request order to construct a machine-readable order for navigation and login (Table 3, Col. 6, lines 1-20; Table 1);

(c) transferring session control from a navigation server to a chat-representation server after login (Col. 5, lines 25-45; Col. 6, lines 1-20); and

(d) posting the queries into the chat session in a timed manner throughout the session (Table 4, Table 1).

30. As per claim 33-34, Claims 33-34 are rejected for the same reasons as rejection to claims 2 and 19 above respectively.

Claim Rejections - 35 USC § 103

31. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having

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ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

32. Claims 7-16, 35-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tackett et al. (hereinafter Tackett), US 6,63,301, in view of 'Official Notice'.

33. As per claim 7, Tackett does not explicitly teach the software application of claim 6, wherein the machine-readable language is an XML based language. "Official Notice" is taken that the concept and advantages of providing for XML is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to include XML with Tackett because it would provide for another implementation of a scripting language. Note that the invention of Tackett can be implemented via scripting language as well as object oriented design, thus it would have been obvious to utilize XML as one instance of implementation.

34. As per claim 8, Tackett teaches the software application of claim 7, wherein the dialog interface emulates keyboard typing of queries when entering them into the chat session (Table 1, 2).

35. As per claim 9, Tackett teaches the software application of claim 7, wherein the dialog interface emulates macro functionality when entering queries into the chat session (Table 1).

36. As per claim 10, Tackett teaches the software application of claim 7, wherein the dialog interface inputs voice recordings into the chat session (Col. 15, lines 1-15).

37. As per claim 11, Tackett teaches the software application of claim 8, wherein the timer functions according to preset parameters (Col. 25, lines 55-65).

38. As per claim 12, Tackett teaches the software application of claim 8, wherein the timer functions according to dynamic conditions (Table 4, Table 1; Col. 29, table; Col. 31, table).

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39. As per claim 13, Tackett teaches the software application of claim 8, wherein the session recorder records the entire chat session as it progresses (Col. 5, lines 10-25).

40. As per claim 14, Tackett teaches the software application of claim 8, wherein the session recorder records only user queries and posted replies (Col. 5, lines 10-25; Col. 16, lines 10-20).

41. As per claim 15, Tackett teaches the software application of claim 8, wherein the session recorder renders a playable version of the chat event that may be stored for or sent to a user for the purpose of replaying the event (Col. 5, lines 10-25).

42. As per claim 16, Tackett teaches software application of claim 15, wherein the function disabler sends a pre-configured notice as a reply to the undesired communication events sourced from the session event (Table 1).

43. As per claim 35-38, Claims 35-38 are rejected for the same reasons as rejection to claims 7, 24, 11 and 12 above respectively.

Conclusion

44. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents and publications are cited to further show the state of the art with respect to

“Software engine for enabling proxy chat-room interaction”.

- i. US 6233570 Horvitz et al.
- ii. US 5812126 Richardson et al.
- iii. US 5802526 Fawcett et al.
- iv. US 5796393 MacNaughton et al.
- v. “The platform for privacy preferences 1.0 (P3P 1.0) Specification” May 2000

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (703) 305-0718. The examiner can normally be reached on M-F 7am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 703-305-8498. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CZ
June 2, 2004



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